

**Other:**

- Urges the FCC to consider further the adoption of safeguards to prevent the misuse of CPNI by BOCs such as Bell Atlantic.

**CMRS resale obligations:**

- Opposes adoption of a physical interconnection requirement for switch-based resale; given the high expenditures and competition involved in the CMRS market, the public interest is better served by a requirement that CMRS providers be facilities-based operators.

## COMPETITIVE TELECOMMUNICATIONS ASSOCIATION

**Interest:** Principal industry association of the nation's competitive interexchange carriers

**Equal access:**

**Equal access for other CMRS providers:**

- Supports adoption of equal access obligations for all CMRS providers that offer a two-way or responsive service, which would initially include cellular, broadband PCS and ESMR. (1, 6)
- The same competitive choices for long distance customers should be available for mobile services as for wireline services. (3)
- Two-way or responsive service will become part of a network of services that compete with other wireless services and ultimately will compete with local exchange service. (7)
- Customers cannot be subjected to different IXC choices depending upon which CMRS provider they happen to be utilizing at the time. (7)
- The appropriate test for determining equal access obligations for CMRS providers should be the Commission's public interest objectives, rather than market power. (4)
- Benefits of equal access include:
  - customer choice; (5)
  - network connectivity (5); and
  - regulatory parity. (5)

**GENERAL COMMUNICATION, INC.**

**Interest:** Long distance company.

**Equal access:**

**Equal access for other CMRS providers:**

- All CMRS providers should be required to implement equal access. (1)
- Parties seeking to exempt rural carriers have not made a case to distinguish between rural and non-rural areas. Rural exemptions would be detrimental to customers and to competition. (1-2)

**Implementation:**

- Interexchange carriers in Alaska should be allowed to interconnect with each partitioned cellular provider at any reasonably requested location. (2)
- 1+ equal access must be implemented and carriers must be able to obtain relevant billing and collection information. (2)

**LEC/CMRS interconnection:**

- The Commission should require LECs to file interconnection tariffs. (3)
- The Commission must mandate mutual compensation between LEC and CMRS providers. (3)

**CMRS/CMRS interconnection:**

- CMRS providers are common carriers and therefore must interconnect with other common carriers. However, the Commission should wait to determine whether CMRS providers should be required to file interconnection tariffs. (3)

## **GENERAL SERVICES ADMINISTRATION**

**Interest:** Federal agency vested with the responsibility for providing telecommunications services for use of the federal executive agencies.

### **Equal access:**

#### **Equal access for other CMRS providers:**

- Supports the imposition of equal access obligations on all CMRS providers. (2-4)
- Even though CMRS providers do not possess the same monopoly power as the LECs, they do possess enough power to make it difficult for end users to select the IXC of their choice. (4-5)
- Competition will not lead to the voluntary provision of equal access as evidenced by the vocal opposition to equal access by CMRS providers. (5)
- Toll bills will not increase from equal access as CMRS providers would not be prevented from buying bulk toll services and offering packages to their customers. (6)
- The costs of equal access would not be overly burdensome. The transition to CMRS can be phased in and its costs passed through to the IXCs. (6)

### **LEC/CMRS interconnection:**

- Supports the tariffing of interconnection arrangements. (7-9)

### **CMRS/CMRS interconnection:**

- Supports requiring CMRS providers to interconnect with each other pursuant to tariff. It is not premature to address the need for CMRS interconnection. (9-11)

### **CMRS resale obligations:**

- Supports prohibiting restrictions on the resale of CMRS. (11-12)

**GEOTEK COMMUNICATIONS, INC.**

**Interest:** Specialized Mobile Radio provider.

**Equal access:**

**Equal access for other CMRS providers:**

- The comments support limiting the imposition of equal access to CMRS providers with market power and control of bottleneck facilities. CMRS providers other than cellular licenses lack market power. (1-2)
- Because SMR service providers do not possess market power or bottleneck facilities, equal access is inappropriate. (3)
- The commenters oppose imposing equal access on all CMRS providers merely to serve the goals of regulatory parity. The Commission is under no obligation to mandate equal access for nondominant CMRS providers, such as SMR providers, merely to achieve regulatory parity. (4)

**GO COMMUNICATIONS CORPORATION**

**Interest:** Prospective PCS provider. (Formerly Columbia PCS, Inc.)

**Equal access:**

**Equal access for other CMRS providers:**

- Equal access obligations should not be imposed upon PCS providers because PCS licensees will not have market power or access to bottleneck facilities. (1-2)
- The comments demonstrate that the costs of implementing equal access would be enormous. (2)
- The comments of the three BOCS and five interexchange carriers that support imposing equal access on all CMRS carriers are unpersuasive. RBOCs seek to have equal access imposed on the industry merely because it justifiably has been imposed on them. IXC's have nothing to lose by advocating equal access. (3)
- The Communications Act does not require that PCS bear identical equal-access obligations to those imposed on cellular carriers. (3)

**LEC/CMRS interconnection:**

- Each Class A LEC should be required to file a "model" interconnection agreement for Commission review. Deviations from the model agreements could be dealt with through the complaint process. (4-5)

**GTE SERVICE CORPORATION**

**Interest:** Provider of LEC, cellular, air-to-ground, and paging services.

**Equal access:**

**Cellular equal access:**

- Equal access is not warranted for cellular carriers. (2-7)
- Consumers already have the capability to select their IXC of choice. (7-9)
- Cellular end users do not want equal access. (9-11)
- The record indicates that the cellular marketplace is robustly competitive. (11-19)
- Cellular carriers do not control bottleneck facilities. Nor do they prevent end users from accessing IXCs or the PSTN. (19-22)
- The costs of equal access far outweigh the benefits. (22-30)
- Regulatory parity does not justify the extension of equal access. (30-31)

**Equal access for other CMRS providers:**

- Equal access should not be imposed on ATG carriers. (32-33)

**LEC/CMRS interconnection:**

- The Commission should not alter its current policy. (34-38)

**CMRS/CMRS interconnection:**

- The Commission should not mandate CMRS/CMRS interconnection. (38-41)
- Cellular carriers should not be required to provide resellers with interconnection. (41-44)

**CMRS resale obligations:**

- The Commission should extend resale obligations to all CMRS providers except ATG carriers. (44-46)



## **HORIZON CELLULAR TELEPHONE COMPANY**

**Interest:** Non-wireline cellular carrier.

**Equal access:**

### **Cellular equal access:**

- The extension of equal access requirements to independent cellular carriers is against the public interest and without legal support. (1)
- The significant costs of equal access are not justified. Independent cellular carriers do not possess market power or control access bottlenecks. (2-3)
- Equal access would impose large costs on independent cellular providers. (3-4)
- Equal access will impose large costs on consumers because they will lose the benefits of extended calling areas and volume discounts. (4-5)
- Customers can currently access their carrier of choice through 800, 950, or 10XXX arrangements. (6)
- Mandating equal access is not in the public interest because it will redistribute revenue from smaller independent cellular operators to large IXC's. (7)

### **LEC/CMRS interconnection:**

- The Commission should retain the current practice of good faith negotiations rather than requiring tariffs. (7)

### **CMRS/CMRS interconnection:**

- The Commission should not mandate CMRS/CMRS interconnection. (7)

**LARSEN CELLULAR COMMUNICATIONS, INC.**

**Interest:** Non-wireline cellular carrier.

**Equal access:**

**Cellular equal access:**

- Equal access requirements should not be applied to cellular carriers. However, if the Commission does decide to impose equal access requirements, then small cellular carriers with 10,000 or fewer subscribers should be exempted. (2)
- Equal access requirements are unnecessary because of the competitive nature of the cellular industry. Although presently a duopoly, new competitors will soon be entering the industry. (3-5)
- Imposition of equal access on small cellular operators would be contrary to the public interest because cellular carriers, such as LCCI, will be unable to obtain bulk long distance discounts. Additionally, consumers will be burdened with more complicated billing. (5-8)
- Equal access requirements will be particularly disadvantageous to small cellular carriers facing new competition from ESMR and PCS systems. (9-10)

**LDDS COMMUNICATIONS, INC.**

**Interest:** Long distance carrier.

**Equal access:**

**Cellular equal access:**

- There is a need for cellular equal access regulations despite the existence of two facilities-based cellular carriers in each market. As a group, cellular carriers control the sole means for competitive carriers to access their customers. (2-3)
- The Commission should either prohibit cellular carriers from providing interexchange services or adopt equal access requirements. (6)
- Despite cellular carriers arguments to the contrary, equal access will produce significant consumer benefits, including lower prices and service innovations. (6)
- Equal access conversion can be achieved relatively quickly and at reasonable cost. (9-11)

**Implementation:**

- The Commission should adopt LATA boundaries for the purpose of equal access. (11-14)

**CMRS/CMRS resale obligations:**

- Supports the extension to all CMRS providers of the resale obligations that currently apply to cellular carriers. (14)
- Emphasizes that the Commission should make all CMRS service offerings available for resale, including bulk discount offerings. (14-15)

**MCI TELECOMMUNICATIONS CORP.**

**Interest:** Interexchange carrier.

**Equal access:**

**Cellular equal access:**

- The benefits of equal access outweigh the costs. Equal access will lead to greater consumer choice. (2-5)
- Equal access should require 1+ presubscription. (5-6)

**Equal access to other CMRS providers:**

- Equal access requirements should be extended to all CMRS subscribers. (1-2)

**LEC/CMRS interconnection:**

- The Commission should require LECs to tariff their interconnection arrangements with CMRS providers because of the substantial public interest benefits. (6-10)
- Tariffs would permit the Commission to exercise more effective supervision over LEC/CMRS interconnection practices. (7)

**CMRS/CMRS interconnection:**

- The Commission should adopt a policy position favoring CMRS/CMRS interconnection. This would provide a powerful incentive to CMRS carriers to agree to reasonable interconnection requests. (10-11)

**NATIONAL ASSOCIATION OF BUSINESS AND EDUCATIONAL RADIO, INC.**

**Interest:** Trade association representing members of the mobile communications industry. NABER is also a recognized frequency coordinator for the Business Radio Service and the FCC.

**Equal access:**

**Cellular equal access:**

- Takes no position on whether equal access should be imposed on cellular systems. (4)

**Equal access for other CMRS providers:**

- The Commission should not apply equal access obligations to paging, SMR, and other forms of narrowband CMRS, because such operators do not control bottleneck facilities. (1,5)
- The costs of modifying SMR systems to comply with equal access would be substantial and there would be no customer benefit. (5-7)

**CMRS/CMRS interconnection:**

- Opposes mandatory CMRS/CMRS interconnection. (2)

**CMRS resale obligations:**

- Opposes imposing carrier resale obligations on SMR operators. (1)

## NATIONAL CELLULAR RESELLERS ASSOCIATION

**Interest:** Association of resellers of cellular service.

**CMRS/CMRS interconnection:**

- It is in the public interest to require cellular carriers to interconnect with cellular resellers. (2)
- The Department of Justice has established that cellular carriers have market power and control bottleneck facilities. The Commission has essentially concurred with these findings. (2-3)
- GTE's argument denigrating the ability of resellers to provide new services echoes similar arguments made in the past by monopoly carriers to forestall competition. It should be rejected. (4-6)
- The proposed reseller switch is technically feasible and will not degrade the quality of service. (6-7)
- Existing rules requiring interconnection into the local exchange landline network are not sufficient to protect the economic feasibility of a switch-based cellular reseller. (7-8)
- The Commission should promulgate specific rules mandating CMRS/CMRS interconnection because carriers have been unwilling to provide interconnection and recourse to the complaint process under Section 208 is inadequate. (9-12)
- The Commission should immediately require that CMRS licensees negotiate interconnection arrangements in good faith, even in the absence of specific interconnection rules. It should also require cellular providers to permit resellers to interconnect except where technically or economically infeasible. (12)

**NEW PAR**

**Interest:** Nonwireline cellular service provider.

**CMRS/CMRS interconnection:**

- NCRA's contention that the Commission must order CMRS interconnection is incorrect. The Communications Act gives the Commission the discretion to order CMRS-to-CMRS interconnection after providing interested parties with an opportunity to be heard and upon a finding that the public interest would be served. (2-4)
- Contrary to NCRA's suggestion, the Commission cannot convert the NOI into a NPRM; nor can it issue a Public Notice adopting interim rules. Either action would be arbitrary and capricious due to an inadequate record. (4-5)
- NCRA's suggestion that Commission-mandated, switch-based interconnection will benefit end users and foster competition fails to take into account the operational problems, inefficiencies, and added costs that switch-based interconnection will create. (5)
- It is impractical for resellers to duplicate the switching functions of cellular carriers. In addition, mandatory interconnection to reseller switches will impede network and technology upgrades. (6-7)

**CMRS resale obligations:**

- Resale obligations should be imposed uniformly on CMRS providers. Unrestricted resale creates disincentives to system build-out and true competition and creates uncertainty in planning for new facilities. (8-9)
- The Commission should adopt a 12-month limit with respect to the resale obligation of CMRS licensees vis-a-vis other CMRS facilities-based licensees. (9)

## **NEXTEL COMMUNICATIONS**

**Interest:** Provider of ESMR and SMR services.

**Equal access:**

**Equal access for other CMRS providers:**

- There is no economic, historical or regulatory justification for CMRS equal access. (1-3)
- The lack of equal access benefits consumers, given CMRS providers' ability to offer toll-free wide-area service and to pass-through long-distance volume discounts. (4)

**Implementation:**

- An "interim equal access" requirement -- lasting until the obligations under the MFJ are lifted from the BOC-affiliated cellular companies -- is unnecessary and wasteful. (7-8)
- If the FCC imposes equal access obligations on all CMRS providers, the obligation should be phased in; it will require at least two years after 8/10/96. (9-10)

**LEC/CMRS interconnection:**

- LEC comments objecting to the proposal to tariff interconnection between LECs and CMRS providers are directed at avoiding disclosure of terms and conditions and hiding discriminatory practices. (10-11)
- Tariffs are the most effective means of assuring that all CMRS providers receive non-discriminatory rates and terms; as a more flexible alternative, however, mandatory "most favored nation" clauses could be used. (10-11)
- The Commission should state that mutual compensation for interstate and intrastate traffic must be an element of all LEC/CMRS interconnection agreements. (13)



**CMRS/CMRS interconnection:**

- Commenters overwhelmingly oppose CMRS-to-CMRS interconnection; PCIA's suggestion to establish guidelines is premature. (13-14)

**CMRS resale obligations:**

- Resale obligations are unnecessary in a potentially very competitive market like CMRS; supporters of resale in the name of regulatory parity fail to recognize that CMRS resale does not serve the public interest. (15)

**NYNEX**

**Interest:** Regional Bell Operating Company.

**Equal access:**

**Cellular equal access:**

- Supports removal of the BOCs' equal access restrictions. However, so long as the BOCs are subject to the MFJ's equal access requirements, all CMRS providers should be subject to similar equal access requirements. (2-5)
- Congress has clearly provided that CMRS services should be regulated in the same manner as the BOCs. (4)
- The Commission should reject AT&T's suggestion that CMRS providers be required to file informational tariffs for equal access services. (6)

**LEC/CMRS interconnection:**

- There is no reason to require LECs to tariff the rates for interstate interconnection service. Existing policies will ensure that LECs do not act in a discriminatory manner. (5)
- Comcast's proposal that the Commission change its recently adopted mutual compensation policy should be rejected. (6)

**CMRS/CMRS interconnection:**

- The Commission should not impose interconnection requirements on CMRS providers. The goal of interconnection can best be achieved through good faith negotiations. (7)
- The Commission should continue to monitor interconnection agreements to ensure that interconnection requests are not unreasonably denied. (8)
- State authority over CMRS interconnection should be preempted. (9-10)

## OCOM CORPORATION

**Interest:** Reseller of interexchange telecommunications services to cellular subscribers.

**Equal access:**

**Equal access for other CMRS providers:**

- Supports equal access because wireless markets, particularly for cellular services, are not competitive. (3)
- The Commission itself has determined that cellular systems have substantial market power. (3-4)
- Contrary to the assertions of some commenters, equal access is not already provided on a voluntary basis and the costs of implementing equal access are not prohibitive. (5-6)

**Implementation:**

- Implementation of equal access for CMRS providers should mirror landline equal access. Supports presubscription and balloting rules. (7)
- Supports MCI and AT&T proposal to require the release to IXC by CMRS providers of all customer base information. (8)
- Supports the adoption of a rule requiring the provision of billing and collection services to interexchange carriers by CMRS providers who provide such services to the interexchange carrier of their choice or who provide their own interexchange services. (9)

## **ONECOMM CORPORATION**

**Interest:** SMR service provider.

**Equal access:**

**Equal access for other CMRS providers:**

- The overwhelming majority of commenters oppose extending equal access obligations beyond the current requirements imposed upon the RBOCs. CMRS providers do not control bottleneck facilities and the costs of imposing equal access outweigh the benefits. (1-2)
- The commenters that support equal access do so based upon the perceived need for regulatory parity, not because they believe equal access is warranted. (2)
- Section 332 of the Communications Act does not require that all CMRS providers be regulated alike. (3-6)
- CMRS customers are already able to choose among IXC's by using dialing access arrangements. Competition among CMRS carriers should determine the nature of access to IXC's. (7-8)

**LEC/CMRS interconnection:**

- Commenters generally support the system of negotiated interconnection agreements as tariffing would reduce flexibility and/or increase costs. (9)

**CMRS/CMRS interconnection:**

- Commenters agree with OneComm that it is premature to impose CMRS-to-CMRS interconnection requirements. CMRS providers should have the freedom to structure relationships according to market forces. (11)

**CMRS resale obligations:**

- CMRS resale and interconnection requirements would not achieve the purpose of stimulating competition because the CMRS market will independently be competitive. (10)

**PACIFIC BELL, NEVADA BELL, AND PACIFIC BELL MOBILE SERVICES**

**Interest:** Local exchange company and prospective PCS provider.

**Equal access:**

**Cellular equal access:**

- As long as the BOCs are subject to equal access requirements, all CMRS providers should be subject to similar regulation. (1-2)
- The Commission should reject DCR Communications's proposal to broaden current equal access requirements. (2-4)
- Any service area chosen for equal access purposes should be applied consistently to all service providers. (4)

**LEC/CMRS interconnection:**

- The current policy in place with respect to LEC interconnection with cellular providers should be extended to LEC interconnection with other CMRS providers. (5-6)
- LEC's cellular affiliates should be charged the same interconnection rate as similarly situated customers. (6-7)
- Comments regarding mutual compensation provide no basis for changing Commission policy. (7-11)
- Mutual compensation should not apply at all to interstate calls. (11)
- Cellular providers should be required to enter into roaming agreements. (11-12)

**CMRS resale obligations:**

- PCS licensees should be permitted to resell cellular service in their service territory during the 10 year build-out period. Out-of-region resale should also be permitted. (12-14)
- Resellers should be eligible for bulk rates available to other cellular customers. (14-15)

### **PALMER COMMUNICATIONS**

**Interest:** Diversified provider of broadcast, common carrier and SMR services.

**Equal access:**

**Cellular equal access:**

- Opposes imposing equal access obligations on cellular carriers. (2)
- The reliance on regulatory parity as a justification for imposing equal access is misplaced. Equal access had its origins in the antitrust case, not in the need for regulatory parity. (2)
- Non-RBOC affiliated CMRS providers are not similarly situated to the RBOCs as they lack market power. (3)
- The information used by the Commission to tentatively decide to impose equal access on cellular carriers no longer reflects today's marketplace. (3)
- Today's wireless marketplace provides many sources of access to wireline local exchange networks and it is becoming increasingly more competitive. Competitive market forces should determine whether cellular operators provide equal access. (3-4)
- The RBOC comments fail to support the imposition of equal access on independent cellular providers. (4)
- As demonstrated by the non-RBOC affiliated entities, the costs of imposing equal access outweigh any benefits. The comments submitted by the RBOCs as to the costs of equal access are unpersuasive. The record must affirmatively show that subscribers will reap a benefit from equal access in order for it to be mandated. (5)

## **PERSONAL COMMUNICATIONS INDUSTRY ASSOCIATION**

**Interest:** Paging, cellular, and PCS trade association.

**Equal access:**

**Equal access for other CMRS providers:**

- Opposes mandating equal access for paging and other narrowband CMRS services. No commenter has disputed the FCC's conclusion that paging customers do not typically access an IXC network. Paging and other narrowband CMRS providers lack market power. IXCs supporting narrowband equal access ignore the fact that in local and regional markets there is significant competition and real costs associated with equal access implementation. (1-2)
- Supports use of dial-around capabilities to access all IXCs for broadband CMRS providers. However, significant evidence indicates that the imposition of LEC-type equal access would impose costs in excess of any benefits. If the FCC does impose some type of equal access obligations, they should apply evenly to all similarly situated broadband CMRS providers. (3-5)

**LEC/CMRS interconnection:**

- Opposes tariffing of LEC/CMRS interconnection because it would impose unnecessary costs and delay and would frustrate the ability of CMRS providers and LECs to negotiate arrangements tailored to individualized needs. Supports filing of negotiated agreements with the FCC with information identifying the CMRS providers deleted. (5-6)
- The FCC should state that mutual compensation for both interstate and intrastate traffic must be an element of all LEC/CMRS interconnection agreements. (6)

**CMRS/CMRS interconnection:**

- CMRS/CMRS interconnection should be left largely to the market forces, within the basic guidelines established by Sections 201 and 202 of the Communications Act and FCC precedent. Most commenters agreed that competitive forces would result in interconnection being made available.

**PUERTO RICO TELEPHONE COMPANY**

**Interest:** LEC in Puerto Rico.

**LEC/CMRS interconnection:**

- Supports the tariffing of the interstate service portion of LEC-to-CMRS interconnection. (1)
- The good faith negotiation process may not work when extended to additional mobile carriers. (2)
- CMRS providers should be afforded the benefit of transparent and nondiscriminatory interconnection terms pursuant to tariff. (2-3)



## ROCHESTER TELEPHONE CORPORATION

**Interest:** Local exchange carrier.

**Equal access:**

**Cellular equal access:**

- Supports equal access requirement because the MFJ and the AT&T/McCaw consent decree already impose equal access obligations on cellular carriers serving a large portion of the population. (4)

**Equal access for other CMRS providers:**

- The FCC should mandate that all CMRS providers that offer services potentially competitive with cellular service must offer 1+ equal access. (4-6)

**Implementation:**

- Supports defining the equal access service area as the authorized area of a given license. (7-9)
- The costs of the transition to equal access should be addressed in three ways: (1) the FCC should allow cellular carriers to recover the costs from IXCs; (2) an equal access obligation should only be triggered by a bona fide request; and (3) the FCC should permit carriers to seek waivers for particular markets if the costs of conversion clearly outweigh the benefits. (6-7)

**LEC/CMRS interconnection:**

- Opposes the tariffing of exchange carrier interconnection arrangements. There is no evidence in the record suggesting that tariffing is necessary. (9-10)

**CMRS/CMRS interconnection:**

- The FCC should let the market determine appropriate CMRS-to-CMRS interconnection and resale arrangements. (10-11)